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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,310	08/28/2003	Michael Robert Rice	6900/SYNX/JB	6977

41161 7590 08/22/2006

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EXAMINER
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BIDWELL, JAMES R

ART UNIT	PAPER NUMBER
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3651

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/650,310

Applicant(s)

RICE ET AL.

Examiner

James R. Bidwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.  
4a) Of the above claim(s) 7-9, 20-25 and 33 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6, 10-19, 26-32 and 34 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 6, 15, 18, 28 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In these claims the language "or less" is unclear and incorrect. The Examiner has read the section of the specification pointed out by Applicants in the response of 07/07/2005 and it does not explain the "or less" phrase. Strictly speaking negative velocity or acceleration does not exist. It may have a component in an opposite direction but the velocity itself is not negative.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 10-19, 26-32 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Mueller et al. (U.S. Patent 6,699,329).

Mueller et al. show a substrate transport system with a conveyor 60 adapted to transport a substrate carrier 24 and an unload mechanism 98 adapted to unload the

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carrier 24 from the conveyor 60 while the conveyor is moving. See column 12, lines 14-28 which describe the transfer of the carriage while conveyor 60 is in motion.

Re claim 2, conveyor 98 is controlled to rise up and match the motion of conveyor 60 so that a successful transfer is completed.

Re claim 3, the vertical upward motion would need to be near zero in order to not damage the substrates.

Re claim 4, shown are a plurality of suspension assemblies 24 to suspend substrates 20.

Re claim 5, the carriages are disengaged from conveyor 60 as conveyor 98 is raised.

Re claim 6, as per claim 3 rejection.

Re claim 10, the carriers are for a single substrate.

Re claim 11, the unload mechanism is also described in terms of also being a load mechanism.

Re claim 12, the shown path is non-rotary.

Re claim 13, a conveyor moves a substrate and it is unloaded.

Re claims 14 and 15, velocities are matched in order to have a transfer between conveyors.

Re claims 16 and 17, substrates are loaded onto conveyor 60 while it moves and the velocities are matched.

Re claim 18, at initial contact there is no acceleration.

Re claim 19, conveyor 98 both loads and unloads substrates.

Re claim 26, conveyor 98 serves as a load/unload mechanism for loading substrates onto a moving conveyor.

Re claims 27 and 28, at time of contact the velocities match.

Re claim 29, shown are a plurality of suspension assemblies.

Re claim 30, area 12 serves as a load port and conveyor 60 is a factory transport mechanism that serves conveyor 98. The substrates are being moved for processing.

Re claim 31, the entry way includes a storage shelf for the substrates before they are loaded into the system.

Re claim 32, shown is a handler.

Re claim 34, as per claim 18 rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fairbairn et al. show a system for processing substrates that can be read on at least claims 1 and 13.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Bidwell whose telephone number is (571)272-6910.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford, can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRB

08-04-2006

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8/4/06